

United States Bankruptcy Court
District of Nevada

SMITH,
Plaintiff
LACKEY,
Defendant

Adv. Proc. No. 23-05011-hlb

CERTIFICATE OF NOTICE

District/off: 0978-3
Date Rcvd: Nov 21, 2023

User: admin
Form ID: pdf928

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 23, 2023:

Recip ID	Recipient Name and Address
intp	+ 9TH JUDICIAL DISTRICT COURT CLERK, 1038 BUCKEYE RD, PO BOX 218, MINDEN, NV 89423-0218

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	Email/Text: cameron.m.gulden@usdoj.gov	Nov 22 2023 00:57:00	CAMERON M. GULDEN, DOJ-UST, 300 BOOTH ST, ROOM 3009, RENO, NV 89509

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 23, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 21, 2023 at the address(es) listed below:

Name	Email Address
BRIAN M. MCMAHON	on behalf of Defendant CARL LACKEY brian@mcmahonlaw.org justine@mcmahonlaw.org
JEFFREY L HARTMAN	on behalf of Defendant CARL LACKEY notices@bankruptcyreno.com abg@bankruptcyreno.com
JOHN MARK SAMBERG	on behalf of Interested Party CAROLYN STARK jsamberg@wrslawyers.com efilingjms@wrslawyers.com

District/off: 0978-3

User: admin

Page 2 of 2

Date Rcvd: Nov 21, 2023

Form ID: pdf928

Total Noticed: 2

LUKE BUSBY

on behalf of Plaintiff MARK E. SMITH luke@lukeandrewbusbyltd.com

TOTAL: 4

NVB 9027 (Rev. 11/17)

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:

BK-23-50403-hlb
CHAPTER 7

CARL LACKEY ,

Debtor(s)

Adversary Proceeding:

23-05011-hlb

MARK E. SMITH

Plaintiff(s)

Originating Court Number:

9TH
JUDICIAL:
2023-cv-00052

vs

CARL LACKEY

Defendant(s)

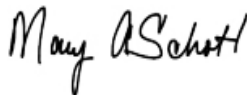
TRANSMITTAL FORM
REGARDING REMAND OF
ADVERSARY PROCEEDING

To: All Attorneys of Record

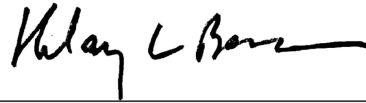
From: U.S. Bankruptcy Court
300 Booth Street
Reno, NV 89509

A copy of the Order remanding the matter and a copy of the docket is attached.

Dated: 11/21/23



Mary A. Schott
Clerk of Court



Honorable Hilary L. Barnes
United States Bankruptcy Judge



Entered on Docket
October 27, 2023

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

* * *

IN RE:

CARL LACKEY,
Debtor.

Case No. 3:23-bk-50403-hlb
Chapter 7

MARK. E. SMITH, an individual,
Plaintiff,
Vs.
CARL LACKEY, an individual,
Defendant.

Adv. Pro. 23-05011-hlb

**ORDER GRANTING MOTION FOR
ABSENTION AND REMAND AND
FOR LIMITED RELIEF FROM
AUTOMATIC STAY**

This matter came before the Court pursuant to the *Amended Motion by Plaintiff Mark E. Smith pursuant to 28 U.S.C. §§ 1452(b), 1334(c)(2) and 1334(c)(1), 11 U.S.C. § 362(d)(1) and Federal Rule of Bankruptcy Procedure 9027(d) to Abstain and Remand and for Relief from Stay* [ECF No. 8] ("Motion"). The Court considered the Motion, the Opposition, and the Reply [ECF Nos. 13 and 14] and the arguments of counsel at hearing on September 20 and 27, 2023, and took judicial notice of the docket in the above-captioned adversary proceeding and the underlying bankruptcy case as permitted by Fed. R. Evid. 201. At the hearing on September 27, 2023, the Court issued its findings of fact and conclusions of law into the record pursuant to

1 Fed. R. Civ. P. 52, applicable to this proceeding pursuant to Fed. R. Bankr. P. 7052.

2 Accordingly, for good cause shown, it is ORDERED:

3 1. The Motion is granted.

4 2. The Opposition is overruled.

5 3. Pursuant to 11 U.S.C. §§ 1452 and 1334(c), the Court abstains from
6 hearing this matter and remands Case No. 2023-cv-00052 back to the
7 Ninth Judicial District Court of Nevada, in and for the County of Douglas
8 (the "State Court Case") for adjudication.

9 4. Pursuant to 11 U.S.C. § 362(d), the Court lifts the automatic stay for the
10 limited purposes of enabling the parties to move forward with the State
11 Court Case and allowing Plaintiff, in the event he is the prevailing party, to
12 collect any available insurance funds.

13 5. Plaintiff may take no enforcement action(s) against the Debtor or his estate
14 without further order of this Court.

15 6. Nothing herein alters or changes the terms of any insurance agreement
16 between the Debtor and his insurance company.

17
18 **DATED and SIGNED ABOVE.**

19
20
21 Copy sent via CM/ECF ELECTRONIC FILING.
22
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Jeffrey L. Hartman, Esq.
Nevada Bar No. 1607
HARTMAN & HARTMAN
510 W. Plumb Lane, Suite B
Reno, NV 89509
T: (775) 324-2800
F: (775) 324-1818
notices@bankruptcyreno.com
Attorney for Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re
CARL LACKEY,
Debtor.

Case No.: BK-23-50403-hlb
(Chapter 7)

MARK E. SMITH, an individual,
Plaintiff,
v.
CARL LACKEY, an individual,
Defendant.

Adversary No.:

**NOTICE OF REMOVAL TO THE UNITED
STATES BANKRUPTCY COURT
PURSUANT TO 28 U.S.C. 157, 1334 AND
1452, AND FED. R. OF BANKR. PROC. 9027**

Hearing Date: N/A
Hearing Time:

Debtor CARL LACKEY (“Debtor” or “LACKEY”), by and through his undersigned counsel, HARTMAN & HARTMAN, hereby removes to the United States Bankruptcy Court for the District of Nevada the action entitled MARK E. SMITH v. CARL LACKEY, Case No. 2023-cv-00052 filed in the Ninth Judicial District Court of Nevada, in and for the County of Douglas (the “State Court Case”), on March 21, 2023. A copy of the Notice of Removal filed on July 10, 2023 in Douglas County, along with the Complaint, is attached hereto as **Exhibit 1**.

In support of this Notice of Removal, HARTMAN & HARTMAN respectfully submits as follows:

1 1. Removal of proceedings, procedurally, is governed by Rule 9027 of the Federal Rules
2 of Bankruptcy Procedure, which provides as follows:

3
4 A notice of removal shall be filed with the clerk for the district and division within
5 which is located the state or federal court where the civil action is pending. The
6 notice shall be signed pursuant to Rule 9011 and contain a short and plain statement
7 of the facts which entitle the party filing the notice to remove, contain a statement
8 that upon removal of the claim or cause of action the proceeding is core or non-core
9 and, if non-core, that the party filing the notice does or does not consent to entry of
final orders or judgment by the bankruptcy judge, and be accompanied by a copy
of all process and pleadings.

10 Fed. R. Bankr. P. 9027(a)(1).

11 Removal of proceedings, substantively, is governed by 28 U.S.C. § 1452(a), which
12 states in pertinent part as follows:

13 A party may remove any claim or cause of action in a civil action other than a
14 proceeding before the United States Tax Court or a civil action by a governmental
15 unit to enforce such governmental unit's police or regulatory power, to the district
16 court for the district where such civil action is pending, if such district court has
jurisdiction of such claim or cause of action under section 1334 of this title.

17 28 U.S.C. § 1452(a).

18 2. As indicated by the plain language of 28 U.S.C. § 1452(a), the propriety of removal is
19 determined by whether the bankruptcy court has jurisdiction as set forth in 28 U.S.C. § 1334.
20 Removal of the State Court Case is appropriate in that the State Court Case involves the complaint
21 of SMITH against Debtor, LACKEY in these bankruptcy proceedings, arising from a judgment
22 arising from a State Court matter and a new, separate action, the State Court Case - Case No. 2023-
23 cv-00052 filed in the Ninth Judicial District Court of Nevada, in and for the County of Douglas.

24 3. Smith, filed the State Court Case against Debtor, LACKEY on March 21, 2023 alleging
25 Nevada State Law claims for exemplary and punitive damages all under Nevada State law.

26 4. LACKEY, through his counsel of record, believes this is a core proceeding under 28
27 U.S.C. § 157(b)(2), but, to the extent necessary, he also consents to entry of final orders and/or a
28 judgment by the Bankruptcy Court.

1 WHEREFORE, HARTMAN & HARTMAN, hereby removes the matter of Mark E. Smith
2 v. Carl Lackey No. 2023-cv-00052, presently pending in the Ninth Judicial District Court for the
3 State of Nevada, County of Douglas, to this Court.

4 DATED: July 13, 2023.

5 **HARTMAN & HARTMAN**

6 /s/ Jeffrey L. Hartman

7 Jeffrey L. Hartman, Esq., Attorney for Debtor
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Pursuant to FRBP 7005 and FRCP 5(b), I certify that I am an employee of HARTMAN & HARTMAN, that I am over the age of 18 and not a party to the above-referenced case, and that on July 13, 2023 I filed and served the foregoing **NOTICE OF REMOVAL TO THE UNITED STATES BANKRUPTCY COURT PURSUANT TO 28 U.S.C. 157, 1334 AND 1452, AND FED. R. OF BANKR. PROC. 9027** as indicated:

- JEFFREY L HARTMAN notices@bankruptcyreno.com,
abg@bankruptcyreno.com
- CHRISTINA W. LOVATO trustee lovato@att.net, NV26@ecfcbis.com
- JOHN MARK SAMBERG jsamberg@wrslawyers.com,
efilingjms@wrslawyers.com
- U.S. TRUSTEE - RN - 7 USTPRegion17.RE.ECF@usdoj.gov

BY MAIL: by placing the document listed above in a sealed envelope with Postage thereon fully prepaid in the United States Mail at Reno, Nevada, and addressed as set forth below. I am readily familiar with my office's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on 13 July 2023, with postage thereon fully prepaid in the ordinary course of business.

/s/ Angie Gerbig
Angie Gerbig

EXHIBIT 1

EXHIBIT 1

McMAHON LAW OFFICES, LTD.
Brian M. McMahon, Esq.
Brian@mcmahonlaw.org
Nevada State Bar No. 00927
3715 Lakeside Drive
Reno, Nevada 89509
(775) 348-2701
Attorney for Defendant
CARL LACKEY

RECEIVED

JUL 10 2023

**Douglas County
District Court Clerk**

FILED

2023 JUL 10 AM 10:08

**BOBBIE R. WILLIAMS
CLERK**

OK-WILFERT DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

MARK E. SMITH, an individual,

Plaintiff,

Case No. 2023-cv-00052

vs.

Dept. No. I

CARL LACKEY, an individual,

Defendant.

NOTICE OF REMOVAL TO THE UNITED STATES BANKRUPTCY COURT
PURSUANT TO 28 U.S.C. 157, 1334 AND 1452, AND FED. R. OF BANKR. PROC. 9027

Defendant, LACKEY, by and through his undersigned counsel, Brian McMahon of
McMAHON LAW OFFICES, LTD., hereby provides notice of the removal of this action to the
United States Bankruptcy Court for the District of Nevada. The action entitled MARK E. SMITH
v. CARL LACKEY, Case No. 2023-cv-00052 filed in the Ninth Judicial District Court on Nevada,
in and for the County of Douglas, the "State Court Case" was stayed by the Voluntary Petition
pursuant to Chapter 7 on June 13, 2023. On an even date herewith, LACKEY has filed A NOTICE
OF REMOVAL TO THE UNITED STATES BANKRUPTCY COURT PURSUANT TO 28
U.S.C. 157, 1334 AND 1452, AND FED. R. OF BANKR. PROC. 9027 in Case 23-5043, United
States Bankruptcy Court for the District of Nevada.

//

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AFFIRMATION PURSUANT TO NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 24th day of July 2023.

McMAHON LAW OFFICES, LTD.

By: 

Brian McMahon, Esq.
Attorney for Defendant,
CARL LACKEY

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of McMAHON LAW OFFICES, and that on this date I caused to be served a true copy of **NOTICE OF REMOVAL TO THE UNITED STATES BANKRUPTCY COURT PURSUANT TO 28 U.S.C. 157, 1334 AND 1452, AND FED. R. OF BANKR. PROC. 9027** on all parties to this action by the method(s) indicated below:

x by placing an original or true copy thereof in a sealed envelope, with sufficient postage affixed thereto, in the United States mail at Reno, Nevada, addressed to:

Luke A. Busby, Esq.
316 California Avenue
Reno, NV 89509

_____ by using the Court's CM/ECF Electronic Notification System addressed to:

_____ by personal delivery/hand delivery addressed to:

_____ by email addressed to:

_____ by Federal Express/UPS or other overnight delivery addressed to:

DATED: This 24th day of July, 2023.

By: 

RECEIVED

MAR 21 2023

FILED

Case No. 2023-CV-00052

Douglas County
District Court Clerk

2023 MAR 21 AM 10:13

Dept. No. I

This document does not contain personal information of any person

BOBBIE R. WILLIAMS
CLERK

BY F. SHOEMAKER
DEPUTY

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR DOUGLAS COUNTY

* * *

MARK E. SMITH, an individual,

EXEMPT FROM ARBITRATION

Plaintiff,

vs.

NAR 3(A) Amount in controversy
exceeds \$50,000

CARL LACKEY, an individual,

Defendant.

COMPLAINT

COMES NOW, MARK E. SMITH, ("Smith" or "Plaintiff"), by and through the undersigned counsel, and files the following complaint pursuant to the provisions of NRS 41.670(1)(c) of Nevada's Anti Strategic Lawsuit Against Public Participation ("SLAPP") law against Defendant CARL LACKEY ("Defendant" or "Lackey").

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Arbitration Exemption

1
2 1. As set forth more fully herein-below, the Plaintiff's claims have a probable
3 jury award more than fifty thousand dollars (\$50,000.00); therefore, this dispute
4 should be excluded from mandatory court-annexed arbitration program under the
5 provisions of NAR 3(A). NRS 41.670(c)(2) expressly provides for an award of
6 punitive damages in cases where an Anti-SLAPP special motion to dismiss is
7 granted by the Court. As described below, that occurred in this case. As a result, a
8 probable jury award in this matter exceeds \$50,000.
9

Jurisdiction and Venue

10
11 2. The above-captioned Court has subject matter jurisdiction pursuant to
12 NRS 3.221 and NRS 4.370, as the amount in controversy exceeds fifteen thousand
13 dollars (\$15,000.00).
14

15 3. Venue is properly in the above-captioned Court because: (a) the
16 Defendant is located in Douglas County; and (b) it has personal jurisdiction over the
17 Defendant in this action,
18

Parties

19
20 4. Mr. Smith currently resides, and at all times relevant hereto resided, in
21 Washoe County, Nevada.

22 5. Defendant Lackey, at all relevant times, resided in Douglas County,
23 Nevada.
24

Allegations of Fact

25
26 6. Smith has been a longstanding critic of Lackey's practices as an employee
27 of the Nevada Department of Wildlife. Smith has been a vocal critic of Lackey's
28

1 wanton and unnecessary killing of bears in the Incline Village area, where Smith
2 resides.

3 7. Stung by Smith's public criticism, Mr. Lackey filed a Complaint against Mr.
4 Smith in Washoe County District Court in Case No. CV17-00434 on March 1, 2017.

5 8. In his Complaint, Lackey alleged that Mr. Smith defamed Lackey.

6 9. On June 5, 2017, Mr. Smith filed an Anti-SLAPP Special Motion to Dismiss
7
8 pursuant to NRS 41.660, arguing that Mr. Lackey's case was based upon Smith's
9 good faith communications in furtherance of his right to petition or the right to free
10 speech in direct connection with an issue of public concern.

11 10. Lackey's legal claim at issue, filed more than six years ago, was that
12 Smith defamed Lackey and conspired with Defendant Carolyn Stark to defame
13 Lackey by running a Facebook page called the Lake Tahoe Wall of Shame, in which
14 third parties made statements critical of Lackey's practices as an employee of the
15 Nevada Department of Wildlife.
16

17 11. Lackey filed a frivolous defamation lawsuit against Smith based on
18 statements made by other parties to silence Smith and others' criticism of Lackey in
19 direct violation of their rights to free speech under the First Amendment of the
20 Constitution.
21

22 12. On October 11, 2022, the District Court entered an Order granting Smith's
23 Anti-SLAPP Special Motion to Dismiss Case No. CV17-00434, which disposed of all
24 of Mr. Lackey's claims in the case and found that Lackey was unable to show a
25 probability of success on his claims.
26

27 13. Lackey did not file a timely appeal of the Order granting Smith's Anti-
28 SLAPP Special Motion to Dismiss Case No. CV17-00434.

1 14. Smith's communications for which he was sued by Lackey, if any, were
2 made in good faith and were made in furtherance of the right to petition or the right
3 to free speech in direct connection with an issue of public concern.

4 15. Smith incurred tens of thousands on dollars in legal fees and costs
5 defending Lackey's frivolous lawsuit.
6

7 16. Pursuant to NRS 41.650 Smith was immune from suit for exercising his
8 rights under and within the scope protected by the First Amendment.

9 17. The Plaintiff has suffered damages because of Lackey's disregard for
10 Smith's Constitutional rights, including but not limited to emotional distress, anguish,
11 and humiliation, and economic damages caused by being aggressively sued for the
12 exercise of his First Amendment rights described above.
13

14 **CLAIMS FOR RELIEF**

15 **NRS 41.670(1)(c) SLAPP-Back Claim**

16 18. Plaintiff repeats and realleges the allegations set forth in the foregoing
17 Paragraphs as though fully set forth herein;
18

19 19. Pursuant to the provisions of NRS 41.650, a person who engages in a
20 good faith communication in furtherance of the right to petition or the right to free
21 speech in direct connection with an issue of public concern is immune from any civil
22 action for claims based upon the communication;
23

24 20. In Case No. CV17-00434, the Defendant sued the Plaintiff for engaging in
25 good faith communications in furtherance of the right to petition or the right to free
26 speech in direct connection with an issue of public concern;

27 21. In Case No. CV17-00434, the District Court granted the Plaintiff's Special
28 Anti-SLAPP Motion to Dismiss filed pursuant to NRS 41.660 against Defendant;

1 22. Because Smith's Anti-SLAPP Motion to dismiss was granted, Lackey is
2 liable to Smith under NRS 41.670(1)(c) for suing Smith for exercising his First
3 Amendment rights to engage in good faith communications in furtherance of the
4 right to petition or the right to free speech in direct connection with an issue of public
5 concern.

6
7 **Exemplary Damages**

8 23. Plaintiff repeats and realleges the allegations set forth in the foregoing
9 Paragraphs as though fully set forth herein;

10 24. Lackey acted with knowledge of the probable harmful consequences of
11 suing Smith;

12 25. Lackey's conduct was malicious and oppressive and showed a conscious
13 disregard of Smith's free speech rights protected under the Constitution and under
14 Nevada law;

15
16 26. As such, Smith seeks an award of exemplary and punitive damages
17 against Lackey as permitted by 41.670(1)(c)(2) and/or NRS 42.005.

18 ///

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1 WHEREFORE, the Plaintiff prays that this Court:

2 a. Order Defendant to pay compensatory damages to the Plaintiff in an
3 amount to be proven at trial per 41.670(1)(c)(1);

4 d. Order Defendant to pay exemplary and punitive damages NRS
5 41.670(1)(c)(2) and/or NRS 42.005;

6 e. Order Defendant to pay attorneys' fees and costs of this action pursuant to
7 41.670(1)(c)(3);

8 f. Order Defendant to pay interest at the legal rate on such damages as
9 appropriate; and
10

11 g. Grant any further relief that the Court deems just and proper.
12

13
14 Respectfully submitted this Monday, March 20, 2023

15 By: 
16 LUKE A. BUSBY, ESQ.
17 SBN 10319
18 316 California Ave.
19 Reno, NV 89509
20 775-453-0112
21 luke@lukeandrewbusbyltd.com
22 Attorney for the Plaintiff
23
24
25
26
27
28

add note

**U.S. Bankruptcy Court
District of Nevada (Reno)
Adversary Proceeding #: 23-05011-hlb**

Assigned to: HILARY L. BARNES

Date Filed: 07/13/23

Lead BK Case: [23-50403](#)

Lead BK Title: CARL LACKEY

Lead BK Chapter: 7

Demand:

Nature[s] of Suit: 01 Determination of removed claim or cause

Plaintiff**MARK E. SMITH, AN INDIVIDUAL**

c/o Luke A. Busby, Esq.

316 California Ave.

Reno, NV 89509

represented by **LUKE BUSBY**

LUKE ANDREW BUSBY, LTD.

316 CALIFORNIA AVE.

Reno, NV 89509

775-453-0112

Email: luke@lukeandrewbusbyltd.com

V.

Defendant**CARL LACKEY, AN INDIVIDUAL**

2788 ESAW ST.

MINDEN, NV 89423

SSN / ITIN: xxx-xx-7720

represented by **JEFFREY L. HARTMAN**

HARTMAN & HARTMAN

510 WEST PLUMB LANE, STE B

RENO, NV 89509

(775) 324-2800

Fax : (775) 324-1818

Email: notices@bankruptcyreno.com

LEAD ATTORNEY

BRIAN M. MCMAHON

MCMAHON LAW OFFICES, LTD.

3715 LAKESIDE DRIVE, SUITE A

RENO, NV 89509

(775) 348 2701

Fax : (775) 348 2702

Email: brian@mcmahonlaw.org

Filing Date	#	Docket Text
07/13/2023	1 (13 pgs; 2 docs)	Adversary case 23-05011. Notice of Removal <i>Complaint</i> of MARK E. SMITH against CARL LACKEY. Fee Amount \$350. (Attachments: # 1 Exhibit 1) (01 (Determination of removed claim or cause) (HARTMAN, JEFFREY) (Entered: 07/13/2023))
07/13/2023		Receipt of Filing Fee for Notice of Removal(23-05011-hlb) [cmp.ntermvl] (350.00). Receipt number A21211447, fee amount \$ 350.00.(re: Doc# 1) (U.S. Treasury) (Entered: 07/13/2023)
07/14/2023	2	Scheduling Conference scheduled for 10/18/2023 at 11:00 AM at Remote. (Related document(s) 1 Notice of Removal filed by Plaintiff MARK E. SMITH.) (mmm) (Entered: 07/14/2023)
07/26/2023	3 (3 pgs)	Notice of Appearance with Certificate of Service Filed by LUKE BUSBY on behalf of MARK E. SMITH (BUSBY, LUKE) (Entered: 07/26/2023)
08/04/2023	4 (25 pgs; 4 docs)	Motion for Remand <i>ABSTAIN AND REMAND AND FOR RELIEF FROM STAY</i> with Certificate of Service Filed by LUKE BUSBY on behalf of MARK E. SMITH (Attachments: # 1 Exhibit Complaint # 2 Exhibit Order Exempting Case from Arb # 3 Exhibit Jury Demand) (BUSBY, LUKE) (Entered: 08/04/2023)
08/04/2023	5 (3 pgs)	Notice of Hearing Hearing Date: 09/20/2023 Hearing Time: 10:00 with Certificate of Service Filed by LUKE BUSBY on behalf of MARK E. SMITH (Related document(s) 4 Motion for Remand filed by Plaintiff MARK E. SMITH.) (BUSBY, LUKE) (Entered: 08/04/2023)

08/07/2023	6 (2 pgs)	Notice of Docketing Error (Related document(s) 4 Motion for Remand filed by Plaintiff MARK E. SMITH, 5 Notice of Hearing filed by Plaintiff MARK E. SMITH.) (mmm) (Entered: 08/07/2023)
08/07/2023	7	Hearing Scheduled/Rescheduled. Hearing scheduled 9/20/2023 at 10:00 AM at Remote. (Related document(s) 4 Motion for Remand filed by Plaintiff MARK E. SMITH.) (mmm) (Entered: 08/07/2023)
08/08/2023	8 (25 pgs; 4 docs)	Amended Motion for Remand with Certificate of Service Filed by LUKE BUSBY on behalf of MARK E. SMITH (Related document(s) 4 Motion for Remand filed by Plaintiff MARK E. SMITH.) (Attachments: # 1 Appendix # 2 Exhibit # 3 Exhibit) (BUSBY, LUKE) (Entered: 08/08/2023)
08/08/2023	9 (3 pgs)	Amended Notice of Hearing Hearing Date: 09/20/2023 Hearing Time: 10:00 with Certificate of Service Filed by LUKE BUSBY on behalf of MARK E. SMITH (Related document(s) 5 Notice of Hearing filed by Plaintiff MARK E. SMITH.) (BUSBY, LUKE) (Entered: 08/08/2023)
08/09/2023	10	Hearing Scheduled/Rescheduled. Hearing scheduled 9/20/2023 at 10:00 AM at Remote. (Related document(s) 8 Motion for Remand filed by Plaintiff MARK E. SMITH.) (mmm) (Entered: 08/09/2023)
08/29/2023	11 (3 pgs)	Request for Special Notice with Certificate of Service Filed by JOHN MARK SAMBERG on behalf of Carolyn Stark (SAMBERG, JOHN) (Entered: 08/29/2023)
09/06/2023	12 (2 pgs)	Notice <i>Notice of Appearance</i> with Certificate of Service Filed by BRIAN M. MCMAHON on behalf of CARL LACKEY (MCMAHON, BRIAN) (Entered: 09/06/2023)
09/06/2023	13 (9 pgs)	Opposition with Certificate of Service Filed by JEFFREY L HARTMAN on behalf of CARL LACKEY (Related document(s) 4 Motion for Remand filed by Plaintiff MARK E. SMITH.) (HARTMAN, JEFFREY) (Entered: 09/06/2023)
09/12/2023	14 (5 pgs)	Points and Authorities <i>IN REPLY TO RESPONSE BY DEFENDANT CARL LACKEY TO MOTION BY PLAINTIFF MARK E. SMITH</i> with Certificate of Service Filed by LUKE BUSBY on behalf of MARK E. SMITH (Related document(s) 13 Opposition filed by Defendant CARL LACKEY.) (BUSBY, LUKE). Modified on 9/13/2023 to relate to #13 in place of #8 (Hammill, IA). (Entered: 09/12/2023)
09/20/2023	15	Minute Entry Re: hearing on 9/20/23. Continued. (related document(s): 8 Motion for Remand filed by MARK E. SMITH) Appearances: LUKE BUSBY, JEFFREY L HARTMAN, BRIAN M. MCMAHON, JOHN MARK SAMBERG (Hearing scheduled 09/27/2023 at 10:00 AM at HLB Zoom Teleconference Line. (dcl) (Entered: 09/20/2023)
10/27/2023	16 (2 pgs)	Order Granting Motion For Absention And Remand And For Limited Relief From Automatic Stay (Related document(s) 8) Remand Follow up 11/13/2023. (arv) (Entered: 10/27/2023)
11/21/2023	17 (1 pg)	Transmittal Form (Remand) Check Remanded Adv Case for Closing 12/5/2023. (Related document(s) 1 Notice of Removal filed by Plaintiff MARK E. SMITH, 16 Order on Motion For Remand.) (dcl) (Entered: 11/21/2023)